

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

SHANNON DEON JENKINS

V.

GEAN LEONARD, ET AL.

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§


CIVIL ACTION NO. G-06-293

ORDER OF DISMISSAL

On July 11, 2006, an Order for Answers to Interrogatories was mailed to Jenkins at his address of record. On July 13, 2006, the Order was returned to the Court, marked: "RTS-2F Chain." The Court has received no change of address notification from Brooks since May 9, 2005. Parties bear the burden of advising the court of address changes. *See* Local Rule 2(F). The failure to do so, as in the instant case, can result in the dismissal of an action for want of prosecution. *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988). Plaintiff's failure to properly pursue this action prompts the Court to conclude that he lacks due diligence or no longer wishes to pursue his case.

Accordingly, under the inherent powers necessarily vested in a Court to manage its own affairs in order to achieve the orderly and expeditious disposition of cases and to avoid congestion in its calendar, this Court determines that dismissal for want of prosecution is appropriate. *See* Federal Rules of Civil Procedure 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Pond v. Braniff Airways, Inc.*, 453 F.2d 347 (5th Cir. 1972); 5 J. Moore, *Federal Practice* Par. 41.11 (2d ed. 1968). It is, therefore, the **ORDER** of this Court that this action is **DISMISSED** without prejudice for want of prosecution.

DONE at Galveston, Texas, this the 21st of July, 2006.



Samuel B. Kent
United States District Judge